



IT IS ORDERED as set forth below:

Date: May 23, 2017

Mary Grace Diehl

**Mary Grace Diehl
U.S. Bankruptcy Court Judge**

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA - ROME DIVISION**

IN RE:

**JORGE MENDEZ,
Debtor.**

**WELLS FARGO BANK, N.A.,
Movant,**

v.

**JORGE MENDEZ, Debtor
MARY IDA TOWNSON, Trustee,
Respondent(s).**

CASE NO. 15-41560-mgd

CHAPTER: 13

JUDGE: MARY GRACE DIEHL

CONTESTED MATTER

CONSENT ORDER ON MOTION FOR RELIEF FROM STAY (#45)

The above styled Motion having been scheduled for a hearing before the Court on March 22, 2017, upon Notice of Assignment of Hearing to each of the above-captioned parties in interest, and it appearing to the Court that the parties consent hereto:

FURTHER IT IS HEREBY ORDERED that the Motion for Relief from Stay with respect to 259 Brownsville Rd, Powder Springs, Georgia 30127-6661 is denied, as the parties herein agree that the interest of Movant is adequately protected by payment and performance as more particularly set forth hereinafter.

FURTHER ORDERED that the post-petition arrearage through April 1, 2017, totals \$3,332.28, including six (6) payments of \$555.38 each.

This arrearage shall be paid as follows:

Debtor shall receive credit of \$432.68 in suspense. Debtor is ordered to pay the sum of \$2,899.60 instant. Beginning May 1, 2017, Debtor shall resume timely remittance of the regular monthly mortgage payments. Payments should be sent to:

Wells Fargo Home Mortgage,
Attn: Bankruptcy Payment Processing
P.O. Box 14507
Des Moines, IA 50306
or to such address as may be designated. It is

FURTHER ORDERED that should Debtor(s) default in payment of any sum specified herein, or in any regular monthly mortgage payments which come due according to Movant's Loan Documents for the life of the plan, then upon notice of default sent by first class mail to Debtor(s), attorney for Debtor(s) and the Trustee, and failure of Debtor(s) to cure such default within ten (10) days from the date of receipt of such notice, Movant may file a motion and affidavit of default, with service upon Debtor(s), attorney for Debtor(s) and the Trustee, and the Court may enter an Order modifying the automatic stay, without further notice or hearing.

FURTHER ORDERED that in the event relief from the automatic stay is later granted, the Trustee shall cease funding any balance of Movant's claim, and the provisions of Fed. R. Bank. P. 4001(a)(3) may be waived.

FURTHER ORDERED that upon completion of any foreclosure sale, any funds in excess of the amount due to Movant and to any subordinate lienholder(s) properly entitled to receive proceeds under applicable State Law, shall be paid to the Trustee for the benefit of the Estate.

[END OF DOCUMENT]

CONSENTED TO BY:

/s/ Bryce Noel

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NO OPPOSITION:

/s/ K. Edward Safir with express permission

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DISTRIBUTION LIST

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